

LIMERICK LUNATIC ASYLUM.

RETURN to an Order of the Honourable The House of Commons,
dated 5 March 1878;—for,

COPIES "of the ORDER of the Privy Council of *Ireland*, of the 18th day of February 1822, appointing the Mayor of *Limerick* and other Persons Governors of the LIMERICK LUNATIC ASYLUM; and of the Order of the Privy Council, of the 26th day of January 1876, rescinding or varying same: "

"Of any CORRESPONDENCE on the Subject, in the Year 1875, between the Resident Superintendent of the *Limerick Asylum* and the Inspectors General of Lunatic Asylums in *Ireland*: "

"Of any CORRESPONDENCE between the present Mayor of *Limerick* and the Chief Secretary to the Lord Lieutenant, relating to the Right of the Mayor to be a Governor of the Asylum: "

"And, of any CORRESPONDENCE that took place upon the same Subject, in the Year 1876 or 1877, between the Mayor of *Limerick*, and either the Chief Secretary or the Inspectors General of Lunatic Asylums."

Dublin Castle,
14 March 1878. }

T. H. BURKE.

BY THE LORD LIEUTENANT AND COUNCIL OF IRELAND.

Wellesley.

WHEREAS by an Act passed in the last Session of Parliament, intituled "An Act to make more effectual Provision for the Establishment of Asylums for the Lunatic Poor and for the Custody of Insane Persons charged with Offences "in *Ireland*," it is, amongst other things, enacted, That it shall and may be lawful for the Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, by and with the advice and consent of His Majesty's Privy Council in *Ireland*, to order and direct that any number of Asylums for the Lunatic Poor in *Ireland*, shall be erected and established in and for such districts in *Ireland* as to the said Lord Lieutenant or other Chief Governor or Governors and Privy Council shall seem expedient:

And whereas the Commissioners for general control and correspondence, and for superintending and directing the erection, establishment, and regulation of Asylums for the Lunatic Poor in *Ireland*, appointed under the provisions of the Act passed in the 57th year of His late Majesty, intituled "An Act to provide for the Establishment of Asylums for the Lunatic Poor in *Ireland*," have represented unto us that they have selected a site in the neighbourhood of *Limerick* suitable for the erection of a Lunatic Asylum for a district to comprise the counties of *Clare*, *Kerry*, and *Limerick*, and the city of *Limerick*, and that they are of opinion that the proposed Asylum for such district should be constructed to contain one hundred and fifty Lunatic Poor:

We, the Lord Lieutenant, by and with the advice and consent of the Privy Council in *Ireland*, in pursuance of the powers vested in us by the first mentioned Act, do hereby order and direct that the counties of *Clare*, *Kerry*, and *Limerick*, and the city and county of the city of *Limerick*, be a district for the purposes mentioned in the said Act, to be called the District of the *Limerick Asylum*, and that there be erected and established in and for such district an

Asylum for the Lunatic Poor thereof sufficient to contain one hundred and fifty of such Lunatic Poor : And we do hereby nominate and appoint John Earl of Clare, Charles Viscount Gort, the Right Honourable Standish O'Grady, the Honourable Richard H. Fitzgibbon, Thomas Spring Rice, esquire, the Reverend William Deane Hoare, Joseph Massey Harvey, esquire, and the Reverend T. Pinkerton ; also the Right Reverend the Bishop of Limerick, the Very Reverend the Dean of Limerick, the Archdeacon of Limerick, the Mayor of Limerick, and the Recorder of Limerick, all for the time being Governors and Directors of said Asylum.

Given at the Council Chamber in Dublin, the 18th day of February 1822.

<i>Manners, C.</i>	<i>D. Baird.</i>
<i>Mayo.</i>	<i>J. Radcliff.</i>
<i>Charles Kildor</i>	<i>Frankfort, &c.</i>
<i>Norbury.</i>	<i>Wm. McMahon.</i>

(True copy.)

(signed) *Henry Robinson,*
Clerk of the Council.

Council Office, Dublin Castle,
12 March 1878.

BY THE LORD LIEUTENANT AND PRIVY COUNCIL OF IRELAND.

Abercorn.

WHEREAS by Orders which have been heretofore from time to time made by the Lord Lieutenant and Privy Council of Ireland, it has been, amongst other things, ordered and directed that the holders for the time being of certain offices therein specified shall be entitled to act as Governors and Directors of District Lunatic Asylums in Ireland :

And whereas it is expedient to amend the said Orders,

We, the Lord Lieutenant, by and with the advice of Her Majesty's Privy Council in Ireland, do by virtue of the powers in that behalf vested in us, hereby order and direct—

I. On any *ex-officio* Governor and Director of a District Lunatic Asylum ceasing to hold the office by virtue of which he acts as such, he shall cease to be a Governor and Director, and his successor in the office aforesaid shall not be entitled to act as an *ex-officio* Governor and Director of a District Lunatic Asylum.

II. No person shall hereafter be entitled by virtue of any office which he may hold to act as an *ex-officio* Governor and Director of a District Lunatic Asylum, except those persons who are now *ex-officio* Governors and Directors, and who, prior to the date of this Order, have been authorised to act as such by virtue of any Order heretofore made.

Given at the Council Chamber in Dublin, the 26th day of January 1876.

<i>M. E. Hicks-Beach.</i>	<i>J. D. Fitzgerald.</i>
<i>J. Whiteside, C. J.</i>	<i>Robt. R. Warren.</i>
<i>Hedges Eyre Chatterton.</i>	<i>Henry Ormsby.</i>
<i>William Brooke.</i>	<i>S. Wolfe Flanagan.</i>
<i>Fred. Shaw.</i>	

(True Copy.)

(signed) *Henry Robinson,*
Clerk of the Council.

Council Office, Dublin Castle,
12 March 1878.

Mr. W. J. Corbet to the Resident Medical Superintendent, Limerick District Lunatic Asylum.

Office of Lunatic Asylums, Dublin Castle,
10 November 1875.

Sir,

I AM directed by the Inspectors to state that the attention of his Grace the Lord Lieutenant has been called to the constitution of the Board of Governors of a District Lunatic Asylum in which no authority appeared to exist for an *ex-officio* governor who was acting as a member of the board.

In directing that no claim to act as an *ex-officio* governor should in future be recognised without special authority, his Grace has called on the Inspectors to state if there are any other *ex-officio* governors attached to asylums for whom distinct Orders in Council have not been passed.

I am, therefore, to request you will report accordingly to the Inspectors in regard to the constitution of the Board of Governors of the Asylum under your charge for his Grace's information.

I am, &c.
(signed) W. J. Corbet,
Chief Clerk.

The Resident Medical Superintendent,
Limerick District Lunatic Asylum.

The Resident Medical Superintendent, Limerick District Lunatic Asylum, to
Mr. W. J. Corbet.

Sir,

Limerick District Asylum, 11 November 1875.

IN reply to your Circular of the 10th instant, directing me to report to the Inspectors, for the information of his Grace the Lord Lieutenant, the constitution of the Board of Governors with reference to "*ex-officio*" governors, I beg to state that two of the governors, viz., the Protestant Lord Bishop of Limerick and the Worshipful the Mayor of the City of Limerick, hold their office "*ex officio*."

The Proclamation of his Excellency the Lord Lieutenant, bearing date 18th February 1822, appointed the Bishop, Dean, Archdeacon, Mayor, and Recorder of Limerick, to be governors for the time being.

An Order in Council, bearing date 28th February 1854, appointed the Right Rev. Henry, Lord Bishop of Limerick, Ardfer, and Aghadoe, to be a governor, but I can find no record of any order for the appointment of his successor.

No Order in Council seems to have been issued for the appointment as governors of successive Mayors.

I am, &c.
(signed) E. Maziere Courtenay,
Medical Superintendent.

William J. Corbet, Esq.,
Chief Clerk, Office of Lunatic Asylums,
The Castle, Dublin.

The Resident Medical Superintendent, Limerick District Lunatic Asylum, to
Mr. W. J. Corbet.

Sir,

Limerick District Asylum, 20 November 1875.

HAVING been directed by the Board of Governors to forward your Circular, dated 10th November 1875, to the two "*ex-officio*" governors, viz., the Mayor of the City of Limerick and the Protestant Bishop of Limerick, I beg to forward, for the information of the Inspector, the Mayor's reply.

I am, &c.
(signed) E. Maziere Courtenay,
Medical Superintendent.

W. J. Corbet, Esq.,
Office of Inspectors of Lunatic Asylums.

The Mayor of Limerick to the Resident Medical Superintendent, Limerick District Lunatic Asylum.

The Mayor's Office, Town Hall, Limerick,
19 November 1875.

Sir,

I HAVE to acknowledge the receipt of your letter of yesterday's date, calling my attention to an enclosed copy of a Circular from the Office of Lunatic Asylums, Dublin Castle, dated the 10th instant, intimating "That the attention of his Grace the Lord Lieutenant has been called to the constitution of a Board of Governors of a District Lunatic Asylum in which no authority appeared to exist for an *ex-officio* governor who was acting as a member of the board, and directing that no claim to act as an *ex-officio* governor should in future be recognised without special authority."

I have to say that I cannot understand why the right of *ex-officio* members of the board to act should be called in question now, after such members had been acting for nearly fifty years. Nor can I, without further information, say whether or not I, as Mayor of Limerick, shall claim my right to continue to act.

I shall thank you to furnish me with a copy of any document which authorised the mayor to act, as I must presume that such a document does exist, or the several mayors who have preceded me, since the Asylum was built, would not have been summoned to attend and act as governors.

I am, &c.
(signed) *Ambrose Hall*,
Mayor of Limerick.

E. M. Courtenay, Esq.,
Resident Medical Superintendent, Limerick
District Lunatic Asylum.

Mr. W. J. Corbet to the Resident Medical Superintendent, Limerick District Lunatic Asylum.

Office of Lunatic Asylums, Dublin Castle,
23 November 1875.

Sir,

I AM directed by the Inspector to state, in reply to your communication of the 20th instant, enclosing a copy of a letter addressed to you by the Mayor of the City of Limerick, relative to the Circular of the 10th instant on the subject of *ex-officio* governors, and I am to point out that the Mayor of Limerick for the time being having, amongst others, been appointed under date the 18th February 1822 an *ex-officio* governor, the Circular does not apply in any way to him.

The Inspectors desire me to express their regret that a misconception has arisen on this subject.

I am, &c.
(signed) *W. J. Corbet*,
Chief Clerk.

The Resident Medical Superintendent,
District Lunatic Asylum, Limerick.

MEMORANDUM.

No correspondence passed between the Inspectors and the Asylum Authorities during the year 1876 and 1877 on the subject.

Dublin Castle, 11 March 1878.
(signed) *J. Nugent*,
Inspector of Lunatics.

The Mayor of Limerick to the Under Secretary for Ireland.

The Mayor's Office, Town Hall, Limerick,
15 January 1878.

Sir,

IN pursuance of the privilege attaching to the office of Mayor of Limerick since 1822, I attended at the board room of the Lunatic Asylum here on Tuesday last, the 8th instant, as an *ex-officio* governor of that institution, when I was informed by the resident medical superintendent that he had omitted to summon me to the meeting in consequence of an Order of the Privy Council, dated 26 January 1876, which he understood as abolishing the right of the mayor for the time being to act as a governor of the Asylum.

Not deeming the board room the fitting place to maintain this privilege, I withdrew, and now beg leave to submit to you the reasons by which it appears to me that the Order in Council of January 1876 could not apply to the *ex-officio* right of the Mayor of Limerick for the time being.

This question appears to have been previously raised in November 1875, in consequence of a similar misunderstanding of a Circular then issued by the Inspectors General of Lunatic Asylums, to which the Resident Superintendent of the Limerick Asylum replied, that "Two of the governors, viz., the Protestant Bishop of Limerick and the Worshipful the Mayor of Limerick, hold their offices *ex-officio*. The Proclamation bearing date the 18th February 1822, appointed the Bishop, Dean, Archdeacon, Mayor, and Recorder of Limerick to be governors. An Order in Council bearing date 28th February 1854, appointed the Right Reverend Henry Lord Bishop of Limerick, Arlbert, and Aghadoe, to be a governor, but I can find no record of any Order appointing his successor."

This extract appears to mark the distinction under which the *ex-officio* governors named held their appointments, inasmuch as the bishop, in 1854, is appointed by name on the death of his predecessor, clearly showing that he held office as a governor only for life, while the office of mayor, being one which never dies, any more than the corporation under which it is derived and held from year to year, the appointment of the "mayor for the time being" in 1822, was clearly continuous in the person of every successive holder of that ancient office, and was not conferred on any person by name, nor in any terms terminable with his official year.

That this is the correct view of the matter was indeed fully admitted by the central authority, in further correspondence in the same month (November 1875), when the resident superintendent received a letter from the Inspectors General, stating in reply to his inquiry as to the mayor's right, that "relative to the Circular of the 10th instant, on the subject of *ex-officio* governors, I am to point out that the Mayor of Limerick for the time being having amongst others been appointed under date of the 18th February 1822, an *ex-officio* governor, the Circular does not in any way refer to him. The Inspectors desire me to express their regret that a misconception has arisen on this subject."

The right of the mayor having been thus re-affirmed, I find that the gentleman then filling the office accordingly attended, and acted as a governor during the remainder of his official year.

I am, from these facts, led to believe that the Order in Council of 1876 has been misunderstood by the resident superintendent, in like manner as the Circular of 1875; and if this opinion of mine should be considered erroneous, I beg respectfully to be informed what circumstances arose between these periods to induce the Lord Lieutenant to abolish a long-established right of the Mayor of Limerick, and further beg to be furnished with a copy of the Order in Council of 1876, stating under what Act of Parliament it was made.

The ancient Corporation of Limerick are naturally jealous of their long existing privileges, which it appears to have been the policy of recent legislation to maintain and enlarge, rather than to curtail; and I, as the present holder of the office of mayor, am unwilling to have any deprivation of such privileges established in my humble person.

I have &c.

(signed) Stephen Hastings,
Mayor of Limerick.

The Under Secretary, &c. &c.
The Castle, Dublin.

The Mayor of Limerick to Mr. T. H. Burke.

Sir,

The Mayor's Office, Town Hall, Limerick,
25 January 1878.

REFERRING to a letter addressed by me to you on the 15th instant, on the subject of my right, as Mayor of this City, to act as *ex-officio* governor of the District Lunatic Asylum here, may I request you will be good enough to have it brought immediately under the notice of his Grace the Lord Lieutenant, as the Town Council are desirous that a reply should be got to it.

I have, &c.

(signed) *Stephen Hastings,*
Mayor of Limerick.

T. H. Burke, Esq. &c. &c.
The Castle, Dublin.

The Town Clerk of Limerick to the Secretary for Ireland.

Sir,

Town Clerk's Office, Town Hall, Limerick,
31 January 1878.

I HAVE the honour to send herewith copies of two resolutions passed at the last meeting of the Town Council of this city. You will be pleased at your earliest convenience to have laid before his Grace the Lord Lieutenant the resolution referring to the Limerick District Lunatic Asylum, and, it is hoped, support the request made therein.

I have, &c.

(signed) *John Ellard,*
Town Clerk.

The Right Honourable
Sir Michael E. Hicks-Beach, Bart.,
The Castle, Dublin.

EXTRACT from MINUTES of Meeting of the Town Council of the City of Limerick, held on the 24th day of January 1878

Proposed by Alderman Myles, Seconded by Alderman Cleary, and carried unanimously.

Resolved,

THAT application be respectfully made to his Grace the Lord Lieutenant to appoint the Mayor of this city for the time being one of the *ex-officio* governors to the District Lunatic Asylum, in order that this Council may have a representative on the board of that institution, to the funds of which our city contributes so largely.

Mr. T. H. Burke to the Town Clerk of Limerick.

Sir,

Dublin Castle, 4 February 1878.

I AM directed by the Lord Lieutenant to acknowledge the receipt of your letter of the 31st ultimo, enclosing copies of two resolutions passed at the last meeting of the Town Council of Limerick, viz., that the Mayor of that city be appointed an *ex-officio* governor of the District Lunatic Asylum during his year of office, and that charges of the Sanitary Board in urban districts be charged on the poor rates instead of the borough rates.

I am, &c.

(signed) *T. H. Burke.*

The Town Clerk, Limerick.

Mr. T. H. Burke to the Mayor of Limerick.

Sir,

Dublin Castle, 4 February 1878.

WITH reference to your letters of the 15th and 25th ultimo, I am directed by the Lord Lieutenant to transmit to you herewith copy of an Order in Council passed on the 26th January 1876, from which you will perceive that the Privy Council considered it expedient to amend all previous Orders in Council which directed that the holders for the time being of certain offices specified in the said Orders should be entitled to act as governors and directors of District Lunatic Asylums in Ireland.

I am to state, that the Order of the 26th January 1876 is within the powers conferred upon the Lord Lieutenant in Council by the 5th Section of the 1 & 2 Geo. 4, c. 33, and that its effect is, that you cannot in your capacity as Mayor of Limerick act as *ex-officio* governor of the Limerick District Lunatic Asylum.

The Mayor of Limerick.

I have, &c.
(signed) T. H. Burke.

LIMBURG LUNATIC ASYLUM.

COPIES of the Orders of the Privy Council of Ireland, of 18th February 1878, appointing the *Wages of Lunatic and other Persons Discharged of the Limburg Lunatic Asylum*, and of the Order of the Privy Council, of 18th January 1879, remitting or varying same, and of Correspondence to the Belgians, &c.

(M. O'Shea, Esq.)

Ordered by The House of Commons, to be Printed,
(in April 1878)

181.

(Sale 1 10)